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SUGHRUE MION, PLLC 2100 Pennsylvania Avenue, N.W. Washington, DC 20037			EXAMINER LE, MIRANDA	
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTO@sughrue.com
USPatDocketing@sughrue.com

Office Action Summary

Application No.

09/870,581

Applicant(s)

UCHIYAMA, KOKI

Examiner

MIRANDA LE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2 and 7-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 7-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on 06/25/08 has been entered.

2. Claims 1, 2, 7-22 are pending in this application. This action is made non-Final.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a

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later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1, 2, 7-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ryan et al. (US Patent No. 6,421,675), in view of Subramonian et al. (US Patent No. 6,701,362).

As per claim 1, Ryan teaches a method of accumulating and retrieving information related to one or more information sources in a search space, said method comprising:

providing central program code at a central computer (*i.e. as are a plurality of server computers 102A-B, and developer sites/computers 104A-B, col. 3, line 66 to col. 4, line 11*);

said central program code being adapted for maintaining a central database of data records (*i.e. a plurality of server computers 102A-B, and developer sites/computers 104A-B, col. 3, line 66 to col. 4, line 11*), for accessing the information related to said information sources stored in said central database (*Fig. 4*), and for comparing (*i.e. By updating the database with the selections of many different users, the database can be updated to prioritize those web listings that have been selected the most with respect to a given keyword, and hereby presenting first the most popular web page listings in a subsequent search using the same keyword search entry, col. 2, lines 25-36*) said data records with said information related to said information sources (*i.e. a method of updating an internet search engine database with the results of a*

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user's selection of specific web page lists from the general web page listing provided to the user as a result of his initial keyword search entry, col. 2, lines 25-36);

recognizing communication between said central program code and remote program code (i.e. As shown in FIG. 1B, a plurality of user sites/computers 100A-100D are shown, col. 3, line 66 to col. 4, line 11) at least one remote terminal (i.e. The cumulative surfer trace is used to identify the search patterns of individual user based of sorting by User ID 126. This information is used to update the personal link table 174 in the same way that the cumulative surfer trace 170 is used to update Table 3 (keyword URL link table 172). This table stores users past preferences as a form of automatic book marking, col. 20, lines 1-8);

said remote program code being adapted for monitoring user activity (i.e. This is a measure of how users search. It is a trace of the key words they search for, the URLs subsequently selected and how long they spend there, from which a ranking of web-pages for a users (surfers) can be calculated. It is a measure of which web-pages they found most useful after the key-word search. The combination of all surfer traces is used to create a users' choice hit-list, col. 6, lines 29-36) of at least one user accessing any information source in the search space irrespective of whether a uniform resource locator (URL) accessed in the search space is the same as the URL of said central program code (i.e. FIG. 6 illustrates the process for determining a list of popular web pages associated with the entry of a keyword 270 in step 272. If this search is selected and a keyword is

entered, step 274 follows and produces a list of web pages based on the values of X taken from Table 3 (172, FIG. 5) for the keyword 270 entered. These web pages are identified by a unique web-page(URL) number from Table 3.

Thereafter, in step 276 the list of web-page numbers found from step 274 is combined with the URL address and web-page description from Table 2 (188 FIG. 5). In step 278 the resulting list of web pages is then tagged, depending on the results of step 246 in FIG. 5 as described previously, and sent to the user for them to make their selections, col. 21, lines 14-27), for collecting monitored data related to said user activity (i.e. Surfer trace data, See Fig. 3A; data from user selection, Fig. 4), and for transmitting said monitored data to said central program code (i.e. This is a measure of how users search. It is a trace of the key words they search for, the URLs subsequently selected and how long they spend there, from which a ranking of web-pages for a users (surfers) can be calculated. It is a measure of which web-pages they found most useful after the key-word search. The combination of all surfer traces is used to create a users' choice hit-list, col. 6, lines 29-36);

supplementing, at said central computer, said data records in accordance with said monitored data to provide an augmented central database (i.e. New web-page list: This is a list of new web-pages that is created by URL submissions from web-page developers. When a web developer updates a web-page, they can submit the web-page address, brief information about the page and a list of key-words that the developer decides are relevant. The web-page is

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then placed on the top of each of the key-word new web-page lists, col. 6, lines 61-67);

responsive to a request for information from said at least one user, identifying candidate response information related to said information sources at said central computer (i.e. FIG. 8 illustrates a high-flying web pages search associated with the keyword entered in step 320. This is a list of web pages that ate increasing in popularity fastest. If this search is selected and a keyword is entered, step 324 follows and produces a list of web pages based on the relationship between the values X and Y taken from Table 3 (172, FIG. 5) for the keyword 320 entered. These web pages are identified by a unique web-page (URL) number from Table 3. Thereafter, in step 326 the list of web-page numbers found from step 324 is combined with the URL address and web-page description from Table 2 (188 FIG. 5). In step 328 the resulting list of web pages is then tagged depending on the results of step 246 in FIG. 5 and sent to the user for them to make their selection, col. 21, lines 51-64); and

comparing contents of said augmented central database with said candidate response information at said central computer (i.e. The high-flyer list is calculated by comparing the old popular ranking (Y) and the new popular ranking (X) from Table 3. From this the percentage increase in hits is calculated. An alternative method would be to rank the rate of change of popularity by the number of places they rose compared to last time, col. 21, lines 65 to col. 22, line 3); and

as a result of said identifying and said comparing, transmitting, to said remote program code at said at least one remote terminal, data concerning one or more of said information sources which contain information relevant to said request so as to progressively tailor information retrieval results for said at least one user and provide said information retrieval results to said at least one user (i.e. FIG. 8 illustrates a high-flying web pages search associated with the keyword entered in step 320. This is a list of web pages that are increasing in popularity fastest. If this search is selected and a keyword is entered, step 324 follows and produces a list of web pages based on the relationship between the values X and Y taken from Table 3 (172, FIG. 5) for the keyword 320 entered. These web pages are identified by a unique web-page (URL) number from Table 3. Thereafter, in step 326 the list of web-page numbers found from step 324 is combined with the URL address and web-page description from Table 2 (188 FIG. 5). In step 328 the resulting list of web pages is then tagged depending on the results of step 246 in FIG. 5 and sent to the user for them to make their selection, col. 21, lines 51-64).

Ryan does not specifically teach:

wherein said remote program code monitors said user activity without requiring said at least one user to access a search engine or any particular web site, and the monitoring is independent of the at least one user's access to any search engine.

Subramonian teaches:

wherein said remote program code (*i.e.* a user profiling module (UPM) 58, See Fig. 3) monitors said user activity without requiring said at least one user to access a search engine (*i.e.* Other application 66, col. 6, lines 63 to col. 7, line 14) or any particular web site (*i.e.* Examples of external devices 60 include televisions, video cassette recorders (VCRs), audio systems, phone systems, pagers, and the like, col. 6, line 63 to col. 7, line 14) , and the monitoring is independent of the at least one user's access to any search engine (*i.e.* According to the teachings of the present invention, a user profiling module (UPM) 58 executing on client computer 12 is responsible for generating personalized profiles for users. According to an embodiment of the present invention, UPM 58 builds user profiles by monitoring and collecting information on the users' activities. For a particular user, the user activities may include the user's interactions with browser 52, or interactions with other applications 66 executing on client system 12. Other applications 66 may include word processors, mail applications, graphics applications, database applications, and the like. Generally, other applications 66 may include any application which may be executed by client computer 12. The user activities monitored by UPM 58 may also include activities performed by the user on external devices 60 which are either coupled to client computer 12 or which are capable of exchanging information with client computer 12. Examples of external devices 60 include televisions, video cassette recorders (VCRs), audio systems, phone systems, pagers, and the like, col. 6, line 63 to col. 7, line 14).

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It would have been obvious to one of ordinary skill of the art having the teaching of Ryan and Subramonian at the time the invention was made to modify the system of Ryan to include the limitations as taught by Subramonian. One of ordinary skill in the art would be motivated to make this combination in order to monitor and collect information on the users' activities in view of Subramonian (col. 6, line 63 to col. 7, line 14), as doing so would give the added benefit of including activities performed by the user on external devices which are either coupled to client computer or which are capable of exchanging information with client computer. as taught by Subramonian (col. 6, line 63 to col. 7, line 14).

Claim 21 is substantially similar in scope of claim 1, under similar rationale as provided in claim 1; the same reasoning would be applicable to claim 21.

As per claim 2, Ryan teaches an information retrieval system for accumulation and retrieval of data related to one or more information sources in a search space, said system comprising:

remote program code at least one remote terminal (*i.e. As shown in FIG. 1B, a plurality of user sites/computers 100A-100D are shown, col. 3, line 66 to col. 4, line 11*);

said remote program code being adapted for monitoring user activity (*i.e. This is a measure of how users search. It is a trace of the key words they search for, the URLs subsequently selected and how long they spend there, from which*

a ranking of web-pages for a users (surfers) can be calculated. It is a measure of which web-pages they found most useful after the key-word search. The combination of all surfer traces is used to create a users' choice hit-list, col. 6, lines 29-36) of at least one user accessing any information source in the search space irrespective of whether a uniform resource locator (URL) accessed in the search space is the same as the URL of said central program code (i.e. FIG. 6 illustrates the process for determining a list of popular web pages associated with the entry of a keyword 270 in step 272. If this search is selected and a keyword is entered, step 274 follows and produces a list of web pages based on the values of X taken from Table 3 (172, FIG. 5) for the keyword 270 entered. These web pages are identified by a unique web-page(URL) number from Table 3. Thereafter, in step 276 the list of web-page numbers found from step 274 is combined with the URL address and web-page description from Table 2 (188 FIG. 5). In step 278 the resulting list of web pages is then tagged, depending on the results of step 246 in FIG. 5 as described previously, and sent to the user for them to make their selections, col. 21, lines 14-27), for collecting monitored data related to said user activity (i.e. Surfer trace data, See Fig. 3A; data from user selection, Fig. 4) and to each of said information sources accessed by said at least one user, and for transmitting said monitored data (i.e. This is a measure of how users search. It is a trace of the key words they search for, the URLs subsequently selected and how long they spend there, from which a ranking of web-pages for a users (surfers) can be calculated. It is a measure of which web-pages they found most useful after the key-word search. The combination of all

surfer traces is used to create a users' choice hit-list, col. 6, lines 29-36; By updating the database with the selections of many different users, the database can be updated to prioritize those web listings that have been selected the most with respect to a given keyword, and hereby presenting first the most popular web page listings in a subsequent search using the same keyword search entry, col. 2, lines 25-36); and

a central computer having central program code (i.e. as are a plurality of server computers 102A-B, and developer sites/computers 104A-B, col. 3, line 66 to col. 4, line 11) receiving said monitored data (i.e. Surfer trace data, See Fig. 3A; data from user selection, Fig. 4) transmitted from said remote program code (i.e. This is a measure of how users search. It is a trace of the key words they search for, the URLs subsequently selected and how long they spend there, from which a ranking of web-pages for a users (surfers) can be calculated. It is a measure of which web-pages they found most useful after the key-word search. The combination of all surfer traces is used to create a users' choice hit-list, col. 6, lines 29-36);

said central program code being adapted for maintaining a central database (Fig. 4) of data records (i.e. a plurality of server computers 102A-B, and developer sites/computers 104A-B, col. 3, line 66 to col. 4, line 11), for accessing information related to said information sources, and for comparing (i.e. The high-flyer list is calculated by comparing the old popular ranking (Y) and the new popular ranking (X) from Table 3. From this the percentage increase in hits is calculated. An alternative method would be to rank the rate of change of

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popularity by the number of places they rose compared to last time, col. 21, lines 65 to col. 22, line 3) said data records with said information related to said information sources (i.e. By updating the database with the selections of many different users, the database can be updated to prioritize those web listings that have been selected the most with respect to a given keyword, and hereby presenting first the most popular web page listings in a subsequent search using the same keyword search entry, col. 2, lines 25-36);

wherein said central program code supplements said data records in accordance with said monitored data to provide an augmented central database (*i.e. New web-page list: This is a list of new web-pages that is created by URL submissions from web-page developers. When a web developer updates a web-page, they can submit the web-page address, brief information about the page and a list of key-words that the developer decides are relevant. The web-page is then placed on the top of each of the key-word new web-page lists, col. 6, lines 61-67);*

said central computer identifying candidate response information related to said information sources in response to a request for information from said at least one user (*i.e. FIG. 8 illustrates a high-flying web pages search associated with the keyword entered in step 320. This is a list of web pages that are increasing in popularity fastest. If this search is selected and a keyword is entered, step 324 follows and produces a list of web pages based on the relationship between the values X and Y taken from Table 3 (172, FIG. 5) for the keyword 320 entered. These web pages are identified by a unique web-page*

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(URL) number from Table 3. Thereafter, in step 326 the list of web-page numbers found from step 324 is combined with the URL address and web-page description from Table 2 (188 FIG. 5). In step 328 the resulting list of web pages is then tagged depending on the results of step 246 in FIG. 5 and sent to the user for them to make their selection, col. 21, lines 51-64), comparing contents of said augmented central database with said request and with said candidate response information (i.e. The high-flyer list is calculated by comparing the old popular ranking (Y) and the new popular ranking (X) from Table 3. From this the percentage increase in hits is calculated. An alternative method would be to rank the rate of change of popularity by the number of places they rose compared to last time, col. 21, lines 65 to col. 22, line 3), and transmitting, to said remote program code at said at least one remote terminal, data concerning one or more of said information sources which contain information relevant to said request so as to progressively tailor information retrieval results for said at least one user and provide said information retrieval results to said at least one user (i.e. FIG. 8 illustrates a high-flying web pages search associated with the keyword entered in step 320. This is a list of web pages that ate increasing in popularity fastest. If this search is selected and a keyword is entered, step 324 follows and produces a list of web pages based on the relationship between the values X and Y taken from Table 3 (172, FIG. 5) for the keyword 320 entered. These web pages are identified by a unique web-page (URL) number from Table 3. Thereafter, in step 326 the list of web-page numbers found from step 324 is combined with the URL address and web-page description from Table 2 (188 FIG. 5). In step 328 the

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resulting list of web pages is then tagged depending on the results of step 246 in FIG. 5 and sent to the user for them to make their selection, col. 21, lines 51-64).

Ryan does not specifically teach:

wherein said remote program code monitors said user activity without requiring said at least one user to access a search engine or any particular web site, and the monitoring is independent of the at least one user's access to any search engine.

Subramonian teaches:

wherein said remote program code (*i.e. a user profiling module (UPM) 58, See Fig. 3*) monitors said user activity without requiring said at least one user to access a search engine (*i.e. Other application 66, col. 6, lines 63 to col. 7, line 14*) or any particular web site (*i.e. Examples of external devices 60 include televisions, video cassette recorders (VCRs), audio systems, phone systems, pagers, and the like, col. 6, line 63 to col. 7, line 14*) , and the monitoring is independent of the at least one user's access to any search engine (*i.e. According to the teachings of the present invention, a user profiling module (UPM) 58 executing on client computer 12 is responsible for generating personalized profiles for users. According to an embodiment of the present invention, UPM 58 builds user profiles by monitoring and collecting information on the users' activities. For a particular user, the user activities may include the user's interactions with browser 52, or interactions with other applications 66 executing on client system 12. Other applications 66 may include word processors, mail applications, graphics applications, database applications, and*

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the like. Generally, other applications 66 may include any application which may be executed by client computer 12. The user activities monitored by UPM 58 may also include activities performed by the user on external devices 60 which are either coupled to client computer 12 or which are capable of exchanging information with client computer 12. Examples of external devices 60 include televisions, video cassette recorders (VCRs), audio systems, phone systems, pagers, and the like, col. 6, line 63 to col. 7, line 14).

It would have been obvious to one of ordinary skill of the art having the teaching of Ryan and Subramonian at the time the invention was made to modify the system of Ryan to include the limitations as taught by Subramonian. One of ordinary skill in the art would be motivated to make this combination in order to monitor and collect information on the users' activities in view of Subramonian (col. 6, line 63 to col. 7, line 14), as doing so would give the added benefit of including activities performed by the user on external devices which are either coupled to client computer or which are capable of exchanging information with client computer as taught by Subramonian (col. 6, line 63 to col. 7, line 14).

Claim 22 is substantially similar in scope of claim 2, under similar rationale as provided in claim 2, the same reasoning would be applicable to claim 22.

As to claims 7, 13, Ryan teaches said monitored data comprise implicit data, including data selected from the group consisting of queries and actions

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taken after receiving responses to said queries, said implicit data being added iteratively to said central database to form said augmented central database (*i.e.* *New web-page list: This is a list of new web-pages that is created by URL submissions from web-page developers. When a web developer updates a web-page, they can submit the web-page address, brief information about the page and a list of key-words that the developer decides are relevant. The web-page is then placed on the top of each of the key-word new web-page lists, col. 6, lines 61-67*) so as to progressively tailor information retrieval results for said at least one user based on said implicit data (*i.e.* *FIG. 8 illustrates a high-flying web pages search associated with the keyword entered in step 320. This is a list of web pages that are increasing in popularity fastest. If this search is selected and a keyword is entered, step 324 follows and produces a list of web pages based on the relationship between the values X and Y taken from Table 3 (172, FIG. 5) for the keyword 320 entered. These web pages are identified by a unique web-page (URL) number from Table 3. Thereafter, in step 326 the list of web-page numbers found from step 324 is combined with the URL address and web-page description from Table 2 (188 FIG. 5). In step 328 the resulting list of web pages is then tagged depending on the results of step 246 in FIG. 5 and sent to the user for them to make their selection, col. 21, lines 51-64*).

As to claims 8, 9, 14, 15, Ryan teaches said monitored data comprise explicit data (*i.e.* *Surfer trace data, See Fig. 3A; data from user selection, Fig. 4*), including user input in response to one or more queries from said central

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computer, said user input including data selected from the group consisting of user profile information and user feedback concerning information retrieval results (*i.e.* *The HTTP link associated with the "www.weather.com" label is "http://www.weather.com". This means that if the user selects this link, they will navigate to this page directly, col. 10, lines 15-17*) said explicit data being added iteratively to said central database to form said augmented central database (*i.e.* *New web-page list: This is a list of new web-pages that is created by URL submissions from web-page developers. When a web developer updates a web-page, they can submit the web-page address, brief information about the page and a list of key-words that the developer decides are relevant. The web-page is then placed on the top of each of the key-word new web-page lists, col. 6, lines 61-67*) so as to progressively tailor information retrieval results for said at least one user based on said explicit (*i.e.* *FIG. 8 illustrates a high-flying web pages search associated with the keyword entered in step 320. This is a list of web pages that are increasing in popularity fastest. If this search is selected and a keyword is entered, step 324 follows and produces a list of web pages based on the relationship between the values X and Y taken from Table 3 (172, FIG. 5) for the keyword 320 entered. These web pages are identified by a unique web-page (URL) number from Table 3. Thereafter, in step 326 the list of web-page numbers found from step 324 is combined with the URL address and web-page description from Table 2 (188 FIG. 5). In step 328 the resulting list of web pages is then tagged depending on the results of step 246 in FIG. 5 and sent to the user for them to make their selection, col. 21, lines 51-64*).

As to claims 10, 16, Ryan teaches remote program code is adapted for monitoring user activity of a plurality of users at a respective plurality of remote terminals, for collecting said monitored data related to said user activity and to one of said information sources accessed by each of said plurality of remote terminals (*i.e. As shown in FIG. 1B, a plurality of user sites/computers 100A-100D are shown, col. 3, line 66 to col. 4, line 11*), and for transmitting said monitored to said central program code (*i.e. This is a measure of bow users search. It is a trace of the key words they search for, the URLs subsequently selected and how long they spend there, from which a ranking of web-pages for a users (surfers) can be calculated. It is a measure of which web-pages they found most useful after the key-word search. The combination of all surfer traces is used to create a users' choice hit-list, col. 6, lines 29-36*);

said supplementing comprises supplementing said data records based on said user activity at said plurality of remote terminals to provide said augmented central database (*i.e. New web-page list: This is a list of new web-pages that is created by URL submissions from web-page developers. When a web developer updates a web-page, they can submit the web-page address, brief information about the page and a list of key-words that the developer decides are relevant. The web-page is then placed on the top of each of the key-word new web-page lists, col. 6, lines 61-67*); and

said transmitting to said remoter program code comprises progressively tailoring said information retrieval results for said at least one user based on said user activity at said plurality of remote terminals (*i.e. FIG. 8 illustrates a high-*

flying web pages search associated with the keyword entered in step 320. This is a list of web pages that ate increasing in popularity fastest. If this search is selected and a keyword is entered, step 324 follows and produces a list of web pages based on the relationship between the values X and Y taken from Table 3 (172, FIG. 5) for the keyword 320 entered. These web pages are identified by a unique web-page (URL) number from Table 3. Thereafter, in step 326 the list of web-page numbers found from step 324 is combined with the URL address and web-page description from Table 2 (188 FIG. 5). In step 328 the resulting list of web pages is then tagged depending on the results of step 246 in FIG. 5 and sent to the user for them to make their selection, col. 21, lines 51-64).

As to claims 11, 17, Ryan teaches said monitored data includes a plurality of user profiles (See Fig. 4), and wherein said central computer groups contents of said augmented central database based on said plurality of user profiles so as to tailor said information retrieval results for said at least one user based on ones of said plurality of user profiles most closely matching a user profile of said at least one user (*i.e.* FIG. 8 illustrates a high-flying web pages search associated with the keyword entered in step 320. This is a list of web pages that ate increasing in popularity fastest. If this search is selected and a keyword is entered, step 324 follows and produces a list of web pages based on the relationship between the values X and Y taken from Table 3 (172, FIG. 5) for the keyword 320 entered. These web pages are identified by a unique web-page (URL) number from Table 3. Thereafter, in step 326 the list of web-page numbers

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found from step 324 is combined with the URL address and web-page description from Table 2 (188 FIG. 5). In step 328 the resulting list of web pages is then tagged depending on the results of step 246 in FIG. 5 and sent to the user for them to make their selection, col. 21, lines 51-64).

As to claims 12, 18, Ryan teaches said information retrieval results include an identity of at least one other user with whom said at least one user then can communicate to obtain further information (*i.e. FIG. 8 illustrates a high-flying web pages search associated with the keyword entered in step 320. This is a list of web pages that ate increasing in popularity fastest. If this search is selected and a keyword is entered, step 324 follows and produces a list of web pages based on the relationship between the values X and Y taken from Table 3 (172, FIG. 5) for the keyword 320 entered. These web pages are identified by a unique web-page (URL) number from Table 3. Thereafter, in step 326 the list of web-page numbers found from step 324 is combined with the URL address and web-page description from Table 2 (188 FIG. 5). In step 328 the resulting list of web pages is then tagged depending on the results of step 246 in FIG. 5 and sent to the user for them to make their selection, col. 21, lines 51-64).*

As to claims 19, 20, Subramonian teaches said search space comprises the Internet, and media programming comprising at least one of television programming and radio programming, so that at least one user can access said media programming as a result of said information retrieval results (*i.e. Client*

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computer system 12 itself can be of varying types including a personal computer, a portable computer, a workstation, a computer terminal, a network computer, a television, a mainframe, or any other data processing system or user device. Due to the ever-changing nature of computers and networks, the description of client computer system 12 depicted in FIG. 2 is intended only as a specific example for purposes of illustrating the preferred embodiment of the present invention. Many other configurations of client system 12 are possible having more or less components than the computer system depicted in FIG. 2. Servers 16 coupled to communication network 14 may generally have the same configuration as client system 12 depicted in FIG. 2., although the server systems 16 typically have more storage capacity and computing power than the client systems, col. 6, lines 17-32).

Response to Arguments

5. With respect to claims 1-2, 7-22, Applicants have amended the independent claims 1, 2, 21, 22 to recite a new limitation "wherein said remote program code monitors said user activity without requiring said at least one user to access a search engine or any particular web site, and the monitoring is independent of the at least one user's access to any search engine"; however, upon further consideration, a new ground(s) of rejection is made in view of newly found prior art.

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Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Miranda Le whose telephone number is (571) 272-4112. The examiner can normally be reached on Monday through Friday from 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James K. Trujillo, can be reached on (571) 272-3677. The fax number to this Art Unit is (571)-273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Miranda Le/
Primary Examiner, Art Unit 2169